



Atty. Dkt. No. 081445-0380

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Timothy I. Salsbury et al.  
Title: METHOD FOR  
CONTROLLING A  
DISCRETE SYSTEM  
Appl. No.: 10/815,100  
Filing Date: 3/31/2004  
Examiner: Crystal J. Barnes  
Art Unit: 2121  
Confirmation No.: 6560

CERTIFICATE OF EXPRESS MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
EV 625661023 US (Express Mail Label Number)	01/25/06 (Date of Deposit)
Roberta A. Cooper (Printed Name)	
<i>Roberta A. Cooper</i> (Signature)	

**ISSUE FEE TRANSMITTAL**

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed herewith please find the following documents:

[ X ] Issue Fee Transmittal Form PTOL-85(B) (1 page).

[ X ] Comments on Statement of Reasons for Allowance .

A credit card payment form in the amount of \$1,700.00 for payment of the Issue Fee and the Publication Fee is also enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 1/25/2006

By Chad E. Bement

FOLEY & LARDNER LLP  
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 (Signature)	

**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Notice of Allowance dated October 26, 2005, concerning the above-referenced patent application.

The Examiner stated the following:

As per claim 1, the prior art of record taken alone or in combination fails to teach calculating a time constant for the averaging device based at least on the time constant for the controlled device, and the specified operational characteristic.

As per claim 17, the prior art of record taken alone or in combination fails to teach the averaging device includes a time constant based on the time constant for the controlled device, a controllable range of the controlled device, and the specified operational characteristic.

As per claim 28, the prior art of record taken alone or in combination fails to teach averaging a signal with a time constant based on the time constant for the controlled device, the controllable range of the controlled device, and the specified operational characteristic

As per claim 32, the prior art of record taken alone or in combination fails to teach receiving a signal representative of a measured value of a controlled parameter of the device, the controlled parameter having a second time constant that is smaller than the first time constant; passing the measured value through an averaging device using a third time constant to provide an averaged value.

While the Applicants agree that the allowed claims recite a combination of subject matter that is patentable over the cited references, the Applicants do not necessarily agree with or acquiesce in the statement of reasons for allowance given by the Examiner. Moreover, the Applicants note that the recited subject matter as well as various other subject matter and/or combinations of subject matter may be patentable for other reasons than those given by the Examiner. The Applicants expressly reserve the right to set forth additional and/or alternative reasons for patentability and/or allowance in connection with the present Application or in any other future proceeding.

#### REMARKS

These Comments on Statement of Reasons for Allowance under 37 C.F.R. § 1.104 are intended to be responsive to the Notice of Allowance dated October 26, 2005.

Respectfully submitted,

Date 1/25/2006

By Chad E. Bement

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